

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

2006 MAY -8 P 2:59

TRAVIS CO. J.V., ROGER
C. HILL, SR., AND CHRISTOPHER HILL,
Plaintiffs,

VS.

HENNESSEE GROUP LLC, ELIZABETH
LEE HENNESSEE and CHARLES J.
GRADANTE,
Defendants.

CLERK, U.S. DIST. COURT
WESTERN DISTRICT OF TEXAS
BY _____
DEPUTY

CIV. ACTION NUMBER: SA-06-CA-0146 FB

**DEFENDANTS' MOTION FOR EXTENSION OF TIME TO RESPOND TO
PLAINTIFFS' MOTION TO STAY CLAIMS PENDING ARBITRATION**

Defendants HENNESSEE GROUP LLC, ELIZABETH LEE HENNESSEE and CHARLES GRADANTE ("Defendants"), by and through their counsel, move, pursuant to Local Rule CV-7, for entry of an Order, extending by one week, to and including May 15, 2006, to Respond to Plaintiffs' Motion to Stay Claims Pending Arbitration. In support of this Motion, Defendants state:

1. On or about April 25, 2006, Plaintiffs filed their Motion to Stay Claims Pending Arbitration ("Motion"), seeking a stay of all claims against Lee Hennessee pending the resolution of the arbitration now pending against her before the NASD.

2. Pursuant to Local Rule CCV-7(d), Defendants are required to file their Response to Plaintiffs' Motion on or before May 8, 2006.

3. On May 5, 2006, lead counsel for Defendants – Bennett Falk – tore his rotator cuff. Mr. Falk will be spending almost the entire week attending doctors' appointments and

receiving physical therapy. Mr. Falk will not return to the office until the end of this week, if at all.

4. As a result, additional time is necessary to prepare and file an adequate Response to Plaintiffs' Motion. The requested extension is not sought for purposes of undue delay.

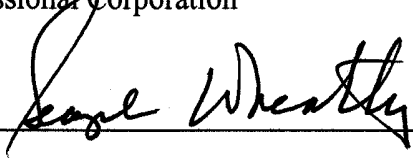
5. On May 8, 2006, Matthew Wolper, an attorney in Mr. Falk's office attempted to contact counsel for Plaintiffs by telephone and electronic mail prior to filing this motion. However, counsel for Plaintiffs could not be reached.

WHEREFORE, Defendants pray for entry of an Order, extending by one week, to and including May 15, 2006, the time within which they may respond to Plaintiffs' Motion to Stay Claims Pending Arbitration.

Respectfully submitted,

JENKENS & GILCHRIST
A Professional Corporation

By: _____


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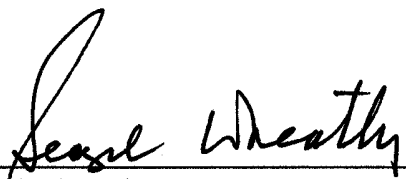
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Attorneys for Defendants HENNESSEE
GROUP LLC, ELIZABETH LEE
HENNESSEE AND CHARLES
GRADANTE

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded to the following counsel of record by hand delivery on this 8th day of May, 2006:

Marvin G. Pipkin
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